

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	
)	CRIMINAL NO. 19-cr-10335-DJC
TANMAYA KABRA,)	
Defendant.)	
)	
_____)	

JOINT INTERIM STATUS REPORT

Pursuant to Local Rule 116.5(b), the parties hereby file the following joint interim status report prepared in connection with the interim status conference scheduled for March 5, 2020.

1) Automatic Discovery/Pending Discovery Requests

The Government provided automatic discovery to the defendant on October 11 and October 17, 2019 and provided supplemental discovery on October 24, November 18, December 11, and December 27, 2019, and January 10 and February 7, 2020.

2) Additional Discovery

The Government anticipates producing additional documents and information in this case pursuant to its discovery obligations and pursuant to discovery requests propounded by the defendant.

3) Timing of Additional Discovery Requests

The defendant submitted discovery requests to the government on January 3, 2020 and the government provided a response on January 10, 2020. Defendants filed additional discovery requests on February 20, 2020. The government will file a response to these requests not later than March 5, 2020 in accordance with Local Rule 116.3.

Defendant continues to review the discovery in this case and is reserving the need for further discovery requests.

4) Protective Orders

The Court has entered a protective order in this matter. *See* Doc. No. 55.

5) Pretrial Motions

The defendant has not filed any pretrial motions under Fed. R. Crim. P. 12(b). He reserves the right to file such a motion or motions after additional review of the discovery.

6) Expert Discovery

The defendant's February 20, 2020 discovery letter requests the disclosure of testimony that the Government intends to introduce pursuant to Federal Rules of Evidence 702, 703, and 705.

The government contends that such disclosures would be premature and proposes that it make any expert witness disclosures 45 days prior to trial and that defendant provide any expert witness disclosures 30 days prior to trial.

The defendant contends that the government make required expert disclosures within sixty (60) days of March 5, 2020, and the defendant 30 days before trial.

7) Defenses of Insanity, Public Authority, or Alibi

The defendant does not presently intend to assert a defense of insanity, public authority, or alibi.

8) Speedy Trial Act

The time from the date of the arraignment through September 27, 2019 is automatically excludable because of the then-pendency of the Defendant's Motion to Revoke Detention Order and for Pretrial Release. *See* 18 U.S.C. §§ 3161(h)(1)(D), (H). All of the time has been excluded from September 27, 2019 through March 2, 2020.

The parties request that the time be excluded from March 2, 2020 until the next status conference. The government will file a motion requesting the exclusion of this time.

9) Status of Plea Discussions and Likelihood of Trial

The parties have not discussed a plea disposition. The parties estimate that a trial in this matter would last three to five weeks.

10) Next Status Conference

Given the foregoing, and in light of the significant volume of discovery that has recently been produced by the Government, the parties request that a further interim status conference be scheduled in approximately 45 days.

Respectfully submitted,

<p>TANMAYA KABRA,</p> <p>By his attorneys,</p> <p><u>/s/ Mark A. Berthiaume</u> Mark A. Berthiaume Angela Bunnell Greenberg Traurig One International Place, Suite 2000 Boston, MA 02110 617.310.6007</p>	<p>UNITED STATES OF AMERICA,</p> <p>By its attorney,</p> <p>ANDREW E. LELLING United States Attorney</p> <p><u>/s/ Chris Looney</u> Christopher Looney Assistant United States Attorney 408 Atlantic Avenue, Suite 530 Boston, MA 02210 (617) 748-3287</p>
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Dated: February 27, 2020

CERTIFICATE OF SERVICE

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Chris Looney
Christopher Looney
Assistant United States Attorney

Dated: February 27, 2020